

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Document # 17

In Re: Refco Inc.

USCA NO. _____

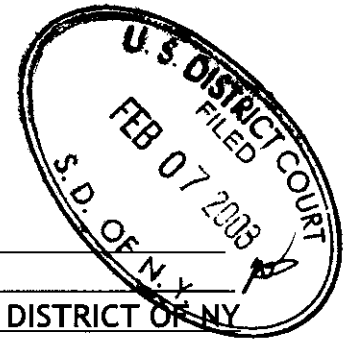
-v-

SDNY NO. 07cv4784

JUDGE: DLC

DATE: 2/07/2008

INDEX TO THE RECORD ON APPEAL



PREPARED BY (NAME) Nezam D.
FIRM APPEALS SECTION
ADDRESS UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NY
500 PEARL STREET, NEW YORK, NEW YORK 10007
PHONE NO. (212) 805-0636

DISTRICT COURT DOCKET ENTRIES -----

DOCUMENTS DOC#

Clerk's Certificate

See Attached List of Numbered Documents

Only Circled Documents Included

(☒) Original Record

(☐) Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.
for the Second Circuit on the 7th Day of February, 2008.

**United States District Court for
the Southern District of New York**

In Re: Refco Inc

-V-

Date: 2/07/2008

U.S.C.A. # _____

U.S.D.C. # 07cv4784

D.C. JUDGE DLC

Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 16, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed

Document Description

****Balance of Files Missing At This Time**

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 7th Day of February In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232nd year.

J. Michael McMahon, Clerk

By


Deputy Clerk

APPEAL, CLOSED, LEAD

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:07-cv-04784-DLC
Internal Use Only

In Re: Refco Inc.
Assigned to: Judge Denise L. Cote
Member case: ([View Member Case](#))
Related Case: [1:07-cv-04786-DLC](#)
Case in other court: USBC-SDNY, 05-B-60006 (RDD)
Cause: 28:0158 Notice of Appeal re Bankruptcy Matter (BA)

Date Filed: 06/05/2007
Date Terminated: 01/23/2008
Jury Demand: None
Nature of Suit: 422 Bankruptcy Appeal (801)
Jurisdiction: Federal Question

Date Filed	#	Docket Text
06/05/2007	<u>1</u>	NOTICE OF APPEAL FROM THE BANKRUPTCY COURT TO THE S.D.N.Y. from the Order of Judge Robert D. Drain dated April 25, 2007. Bankruptcy Court Case Numbers: 05-B-60006 (RDD). Certified copies of file received. Document filed by Paul Palley. Appellant Brief due by 6/25/2007. (bkar) (Entered: 06/05/2007)
06/05/2007	<u>2</u>	DESIGNATION OF BANKRUPTCY RECORD ON APPEAL re: <u>1</u> Bankruptcy Appeal,. Document filed by Appellant Paul Palley. (bkar) (Entered: 06/05/2007)
06/05/2007	<u>3</u>	COUNTER DESIGNATION OF BANKRUPTCY RECORD ON APPEAL Document filed by Appellee Refco Inc. (bkar) (Entered: 06/05/2007)
06/05/2007		Magistrate Judge Gabriel W. Gorenstein is so designated. (bkar) (Entered: 06/05/2007)
06/11/2007		Mailed letter to the United States Bankruptcy Court - Southern District of New York as notification of filing of Bankruptcy Notice of Appeal (Case Number: 05-B-60006(RDD)) with the U.S.D.C. - S.D.N.Y. and the assignment of S.D.N.Y. Case Number: 07-cv-4784 (DLC). (laq) (Entered: 06/11/2007)
06/11/2007		Mailed notice to the attorney(s) of record. (laq) (Entered: 06/11/2007)
07/06/2007	<u>4</u>	ORDER: The Appellant's Statement of Issues is treated as his appellate brief for purposes of this bankruptcy appeal. The Appellee's Brief is due by 7/20/2007. Appellant's Reply Brief is due by 8/3/2007. When filing any papers with the Court, the parties shall provide a courtesy copy to Chambers by sending them to this Court's Pro Se Office, Room 230, US Courthouse, 500 Pearl Street, New York, New York 10007. (Signed by Judge Denise L. Cote on 7/5/2007) Copies mailed by chambers. (jar) (Entered: 07/09/2007)
07/10/2007	<u>5</u>	MOTION to Consolidate Cases 07-4784; 07-4785; 07-4786 /Request For (I) Consolidation of Related Bankruptcy Appeals; (II) Revised Briefing Schedule; and (III) Leave to File a Consolidated Appellee Brief. Document filed by RJM, LLC as Plan Administrator for Refco, Inc.. (Clark, Jared) (Entered: 07/10/2007)
07/10/2007	<u>6</u>	CERTIFICATE OF SERVICE of (see document # 5) on 7/10/07. Document filed by RJM, LLC as Plan Administrator for Refco, Inc.. (Clark, Jared) (Entered: 07/10/2007)
07/13/2007	<u>7</u>	ORDER OF CONSOLIDATION the Clerk of the Court shall consolidate 07cv4784, 07cv4785 and 07cv4786 under the docket number of the lead case 07 Civ. 4784 and reassign 07 Civ. 4785 and 07 Civ. 4786 to this Court. So Ordered. (Signed by Judge Denise L. Cote on 7/12/07) (jco) (Entered: 07/16/2007)
07/13/2007	<u>8</u>	ORDER appellee's request to file a consolidated appellee brief is granted. Appellant Brief due by 8/17/2007. Appellee Brief due by 8/3/2007. Attorney must file a notice of appearance for 4218698 Canada Inc./David Bilodeau and 9016-2355 Quebec Inc./Rene Bilodeau by 8/3/07. If no attorney files a notice of appearance on behalf of the corporate appellants by 8/30/07, their appeals shall be dismissed. When filing any papers with the Court, the parties shall provide a courtesy copy to Chambers by sending them to this Court's Pro Se Office, Room 230, United States Courthouse, 500 Pearl Street, New York, NY 10007. So Ordered. (Signed by Judge Denise L. Cote on 7/12/07) (jco) (Entered: 07/16/2007)
08/03/2007	<u>9</u>	Consolidated BRIEF of the Appellees. Document filed by RJM, LLC as Plan Administrator for Refco, Inc., Refco Inc.. (mbe) (Entered: 08/08/2007)
08/08/2007	<u>10</u>	ORDER that the appeals of 4218698 Canada Inc./ David Bilodeau and 9016-2355 Quebec Inc./ Rene Bilodeau are dismissed with prejudice. SO ORDERED. (Signed by Judge Denise L. Cote on 8/8/2007) (jmi) (Entered: 08/09/2007)
09/12/2007	<u>11</u>	ORDER: All future correspondence from petitioner must include an affidavit indicating when and in what manner the document was provided to counsel for the appellee. The petitioner direct all correspondence relating to this case to Pro Se Clerk's Office, and not to this Court. When filing any papers with the Court, the parties shall provide a courtesy copy to Chambers by sending them to this Court's Pro Se Office. The Court notes that the petitioner followed this practice in submitting his recent letters. (Signed by Judge Denise L. Cote on 9/11/2007) Copies mailed by chambers. (jar) (Entered: 09/12/2007)
10/05/2007	<u>12</u>	7/20/07 and 9/5/07 submissions in support of appeal (filed as per chambers). Document filed by Paul Palley. (cd) (Entered: 10/18/2007)
10/05/2007	<u>13</u>	PRO SE MEMORANDUM dated 10/15/07 re: CHANGE OF ADDRESS for Paul Palley. New Address: Paul Palley, 13 Nikos Sofocleous, Pacha Village, 4700 Limassol, Cyprus. (tro) (Entered: 10/18/2007)

01/14/2008	<u>14</u>	OPINION AND ORDER # 95602: The April 19, 2007, Order of the Bankruptcy Court is affirmed. The Clerk of Court shall close the case. (Signed by Judge Denise L. Cote on 1/14/008) Filed In Associated Cases: 1:07-cv-04784-DLC, 1:07-cv-04785-DLC, 1:07-cv-04786-DLC Copies Mailed By Chambers.(tro) Modified on 1/25/2008 (rw). (Entered: 01/14/2008)
01/14/2008		Transmission to Judgments and Orders Clerk. Transmitted re: <u>14</u> Memorandum & Opinion, to the Judgments and Orders Clerk. (tro) (Entered: 01/18/2008)
01/23/2008	<u>15</u>	CLERK'S JUDGMENT That for the reasons stated in the Court's Opinion and Order dated January 14, 2008, the April 19, 2007 Order of the Bankruptcy Court is hereby affirmed; accordingly, the case is closed. (Signed by J. Michael McMahon, clerk on 1/23/08) (ml) (Entered: 01/23/2008)
02/04/2008	<u>16</u>	NOTICE OF APPEAL from <u>15</u> Clerk's Judgment. Document filed by Paul Palley. Filing fee \$ 455.00, receipt number E 640423. Copies mailed to attorney(s) of record: Willkie Farr & Gallagher LLP.; Bingham McCutchen LLP; David Bilodeau. (tp) (Entered: 02/06/2008)
02/06/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>16</u> Notice of Appeal. (tp) (Entered: 02/06/2008)
02/06/2008		Transmission of Notice of Appeal to the District Judge re: <u>16</u> Notice of Appeal. (tp) (Entered: 02/06/2008)